

1954

HOUSING AND PUBLIC HEALTH

COMMUNITY PLANNING ASSOCIATION OF CANADA — GREATER TORONTO BRANCH

H O U S I N G A N D P U B L I C H E A L T H

RECORD OF THE MEETING OF MARCH 25, 1954

Sponsored by the Toronto Branch of the Community Planning Association of Canada

Film: "The Baltimore Plan"

Panel: Dr. L. A. Pequegnat, Medical Officer of Health, City of Toronto
 Mrs. A.B. Hall, District Secretary, Neighbourhood Workers Association
 Mr. F. Joseph Cornish, Q.C., Barrister.

Discussion

Extracts from the Toronto City By-law No. 14466

FOREWORD

Members of this Association, along with many other people, have long been baffled by the inability of the housing supply in this community to catch up with the social demand made upon it. In a period of high employment, those who could pay \$60 or less for shelter, seemed to be getting less and less for their money. Legislation on the federal and provincial statute books looked adequate but was only permissive in character. At the local level, the city council was being harassed by the ending of provincial rent controls and by the closing down of so-called "Emergency Housing Projects". But since the council was elected on a restricted franchise, many of its members seemed unsure of their responsibilities to those fellow citizens who were not their electors.

It was hoped that by emphasizing again the traditional responsibility of the community to maintain a minimum standard of public health, this meeting might help to clarify the city's responsibility in the housing field. There are among the city's by-laws minimum standards which clearly define allowable space for family living, plumbing and kitchen facilities; standards of structural safety and safety from fire for buildings themselves. All these by-laws have been on the books for years, but latterly there has been great reluctance to enforce them, because of the intense overcrowding of whole areas within the city.

A curious and dangerous contradiction has been allowed to grow up in the city's administration where, on the one hand, it is assumed that housing conditions are quite adequate and inspection for violation is only done on demand and on the other hand it is admitted that there is no use trying to enforce the law in the case of a particular violation, since the victims could find no better place to go to.

We hoped to get from the three speakers a well-rounded picture of the problem of substandard or illegal housing conditions in the city; from the first speaker a description of the concern of the Public Health Department with minimum standards of housing and of the problem of enforcing those standards; from the second speaker a series of cases of families living in substandard or illegal conditions, case histories which could be considered typical of different areas of the city; from the third speaker an objective account of the problems facing a city administration with respect to framing a housing policy.

With such a body of information it was considered that we would get some idea of what the city council and the new Metropolitan council should begin to do. At the very least, the existing laws would have to be respected or altered. If they are to be respected, the existing system of inspection is inadequate and the housing supply must be increased until legal minimum standards of public health can be enforced.

W. S. GOULDING
C H A I R M A N

"The Baltimore Plan"

This film records Baltimore's project to raise the quality of housing in declining and blighted residential areas by enforcing existing codes, statutes and by-laws.

The movement was initiated by a group of citizens and ultimately supported by the authorities, with the residents of the demonstration area providing leadership. The residents, mostly tenants, were encouraged to clean interiors and exteriors of the houses. Useless and dilapidated sheds and fences were torn down, junk and litter were removed. Landlords were asked to make any alterations to the dwellings which were necessary to make the structures meet existing codes and by-laws. Those landlords who were unwilling to do so were charged with violations and brought into court.

At first, the judges were too busy trying more important cases to pay serious attention to building violations. A citizens' group, therefore, appealed to the authorities for a separate Housing Court in which to try infractions. This request was granted and with this move the law enforcement programme gained strength.

This demonstration project was so successful that other areas were marked for similar work. The city dealt with the problem of substandard housing before the blight became so bad that tearing down and rebuilding would be the only cure.

P A N E L

Dr. L. A. Pequegnat

If a thesis were to be written on the relationship between housing and health in this city, there would be considerable difficulty in laying hands on proven facts and figures as a research person would want them. However, it is possible to compare the varying conditions in large city districts in accordance with accepted indices. In making comparisons of this kind, one must beware of the eternal question of cause and effect.

Having in mind the limitations of comparisons, the following figures of accepted indices give some idea of the range of rates in this city in a recent year.

	City Average	Range of rates <u>by districts</u>
General Death Rate	11.3	10.2-14.4
T. B. Death Rate	9.7	4.1-22.1
Infant Death Rate	25.7	18.2-38.3
Maternal Death Rate	1.3	0.5-22.3
Acute Communicable Disease Death Rate	1.6	Nil - 2.3

The comparisons are suggestive in the first three brackets, the high figure belonging to one district which has considerable questionable housing accommodation.

This discussion is best served if continued in the abstract, not because the abstract cannot be measured here, but because of the inadequacy of existing evidence in the definitive sense. Our common sense tells us that the health of a community is unquestionably associated with housing conditions.

The factors that constitute an unsanitary house are: structural defects in the house, i.e. poor foundation, dampness, leaky roof, falling plaster, holes and cracks in the walls and floors through which the winds blow, rain pours in and infestation enters; darkness and inadequate ventilation; overcrowding; absence of adequate or readily accessible sanitary conveniences; absence of properly equipped kitchen. It would seem reasonable that any dwelling house possessing three or more of these defects comes very close to being considered unfit for human habitation.

Another definition of bad housing: any condition of house which tends to impair the physical or mental health of the tenants or the community. However, the major housing evils are overcrowding and lack of fresh air and sunshine. Other evils are: outdoor privies, filthy yards, lanes and courts, and improper methods of disposal of refuse.

Overcrowding, at present a pressing problem, is usually expressed in terms of the number of persons occupying rooms of a certain cubic capacity. The Public Health Act of Ontario expresses cubic content in terms of 600 cubic feet, and the by-law in the City of Toronto (No. 14466) among other things, fixes the square footage which shall be the minimum per person. Social and moral overcrowding exists in a house that does not provide separate bedroom accommodation for persons of opposite sex above the age of ten, unless living together as man and wife.

Overcrowding is dangerous because it is a contributory cause of tuberculosis and other communicable diseases. The evidence is conclusive that overcrowding favours a higher TB rate and a higher death rate of the common communicable diseases such as measles and whooping cough.

The Infant Mortality Rate is regarded as being perhaps the most sensitive index of the general state of a community. One available tabulation shows that infant mortality in families living two or more persons per room is several times that of families living fewer than one person per room and also more than for families living one or up to two persons per room.

It also must be remembered that the sixty some hours spent in the home by a housewife in the performance of her daily duties are to be regarded as no less a problem in industrial hygiene than are the forty or fewer hours spent by her mate in industry.

Against this backdrop, consider what this city has been able to do with respect to housing. The Ontario Public Health Act defines the powers of Medical Officers of Health. It encourages the abatement of nuisance, a nuisance being that which menaces or is a danger to health, or that which hinders the suppression of disease. It also authorizes placarding as "unfit for human habitation". The powers of this Act are very wide, and may be used to assist in eliminating substandard housing.

In 1934, the report of the Lieutenant-Governor's Committee on Housing Conditions in Toronto was published. A direct outcome some years later of the report was the Regent Park Redevelopment Project.

In 1936 a small but mighty by-law was passed, that is, By-law No. 14466, which is applicable to the city as a whole, and which establishes a standard of housing. This by-law resolved to considerable degree the difficulty of the health authority, and, what is more, moved into the field of amenities.

To-day, there may be other areas which approximate in some respects the old Regent Park area. Blight is also affecting areas containing large dwellings intended for one-family occupancy. These are now being converted and people are being packed in with little or no structural renovation. These are today's problems, and the instruments for attacking the problems are considerably better than they were several decades ago. Nevertheless, the problem remains.

Mrs. A. B. Hall:

When a family in difficulty lives in a house which is overcrowded, unsanitary or too expensive, the Neighbourhood Workers Association, financed by the Community Chest, can do very little for the family and nothing about the housing situation. The Neighbourhood Workers work on the assumption that the family is the fundamental institution in society and that the family is essential to the satisfactory adjustment of the individual. This is the basis upon which the Association functions. It provides a counselling service which helps families and individuals to work through problems which are preventing them, spiritually, psychologically or materially, from living the kind of life which can give satisfaction to themselves and to the community.

While a family agency cannot do anything about housing, it deals with the many ills associated with poor housing, much of which is illegal under the Toronto City By-law No. 14466. The by-law states that: "provided that the total occupancy of any dwelling unit having more than one room shall not exceed one and one-half persons per room". It states further that in computing the number of persons per room, children under one year of age shall not be counted. Children from one to ten are to be counted as one-half a person. Theoretically, this may be sound. But has anyone who has ever had to hang the baby's washing in the kitchen or living room been tempted to count the baby as less than one person?

There are apartments today that will take children, but the rent is at least \$110 a month. This forces families to borrow money to make a down payment on a house, and then to keep up the monthly payments on the loan and mortgage, payments which they can ill afford.

Many cases come to the Neighbourhood Workers with a problem which is directly related to the houses in which they live. All the conditions in the following cases are considered illegal under the Toronto City By-law No. 14466.

(a) A family consisting of two parents in their early twenties with four children under five live in a converted shed or chicken house in Scarborough. The shed is divided into three tiny rooms: a living-room, a bedroom and a kitchen. The entire floor area is twelve feet by twelve. The rent is \$37.00 per month plus hydro and coal for heating. The bedroom contains a double bed, a crib for the baby and one other crib. There is no water in the house, and all water that is used must be carried from the next lot. The outside toilet is close to the "house", so the odour is bad. There is one door and very small windows. The ground around is deep in mud. It is understood that the health authorities would like to condemn this building, but there is no place for the family to move.

(b) In the Riverdale area, there is a house that was reported to the Sanitation Department in 1928 as excessively damp and unhealthy. The house has a small living room, a bedroom and a kitchen downstairs, heated by one stove, and two tiny bedrooms upstairs. There are leaks in the pipes and most inadequate plumbing facilities. On three sides of the house there is a parking lot. Just behind, there is a food establishment; the house is, therefore, periodically overrun with rats. Since most of the windows are out, they are covered with cardboard. The father recently died and the mother and five children are, therefore, on Mother's Allowance.

(c) In a section of Moss Park, there are plans to tear down the houses and build "low rental" apartments, the lowest rent being for a bachelor apartment at about \$80 per month. In this area there now stands a house with two adults living in the basement; on the first floor, parents and seven children inhabit the three rooms; on the second floor, two adults live in the three rooms; in the four rooms on the third floor live parents and seven children. The total number of occupants of this house: six adults and fourteen children. There is one bathroom. Water for the third floor is all carried from the bathroom on the second. Not long ago, there was an eviction for health reasons, but unknown to the landlord, the family moved back in.

These are only three typical cases which come to the attention of social workers daily. These cases demonstrate that not only health, but many other aspects of living are affected by the housing in which people live.

Mr. F. Joseph Cornish, Q. C.:

The film that has been shown, "The Baltimore Plan" is a very impressive example of what can be done. While statute law is very important, there is no substitute for community effort.

The necessity of more housing is assumed. But what can be done? The British North America Act defines the sphere of responsibility of the different levels of government. While there is no direct reference in the Act to housing, under Section 266 of The Municipal Act, a municipality may pass laws for the general welfare and safety of its citizens. This, of course, can be interpreted to mean housing.

At both the provincial and federal levels there are excellent statutes giving terms under which financial assistance may be granted. It must be pointed out, however, that this legislation is permissive. A government MAY do such and such. There is no provision for anything HAVING to be done.

Who suffers from a housing shortage? There are a large number of people living in substandard houses paying high rents. The President of Central Mortgage and Housing Corporation has estimated that, to-day, a new fully-serviced 4-room apartment would rent at \$85 per month at cost. It is here that government intervention can be justified because governments have powers that private institutions do not have, namely: the right of expropriation and the power to assemble land.

Governments or other groups may embark on housing construction and rent the units at cost, or the units may be subsidized. In the first instance, it is highly unlikely that private business will do this, and in the second instance, private business will obviously not provide a subsidy. Some people cannot afford to pay a rent at cost (the "economic rent"), and, therefore, a subsidy is required if these people are to be housed adequately. While it will have to be minimum housing, it should be enough for the sanity and self-respect of the tenants. As a former alderman in the Regent Park area, being acquainted with the area, seeing the "before" and "after" picture was not difficult. Regent Park has a subsidy in the sense that the government

put some money into it. However, this has proven to be a net gain to the taxpayer in that there has been a reduction in the cost of services: police, health, fire, etc. If this statement is challenged, talk to the Police Inspector of No. 4 Station, the Fire Chief, the Medical Officer of Health, the Community Chest and City Welfare officials, the school principals. The Regent Park project affected not only the people living in it, but also those living in the vicinity around it. Things are better now than before on the fringes of the redevelopment. We have been repaid for our contribution.

The existing minimum housing standards are very minimum. However, we cannot quarrel with them, because we don't meet them now. The penalty clause (in By-law No. 14466) is \$50 for each offense. Some landlords are willing to pay the fine as many times as convicted rather than alter their dwellings or the number of people in them, in order to meet existing laws.

It is the same old problem. More houses are needed -- not fancy houses -- but houses which provide ventilation, enough space for the segregation of the sexes and some measure of privacy.

Discussion:

The chairman opened the discussion by emphasizing the need to learn the full extent of over-crowding. The best means would be a survey in one pilot area. Concerning the most appropriate municipal department to undertake such a survey, Dr. Pequegnat suggested either the Department of Buildings or the Department of Public Health. Even if neither could undertake a survey because of staff and time limitations, each would supply as much information as possible.

Mrs. Luffman of the Toronto Housing Authority pointed out that the 5000 applications for Regent Park supplied plenty of evidence of need for more housing for people in low and modest income groups.

In reply to a question concerning rents at Regent Park, Mr. Dearlove stated that in the new units, the income ceiling is established at \$4,200. The income figure includes the wages of all members of a family. The maximum rent is fixed at \$93.

A question was raised from the floor as to the desirability of tall apartment buildings for family living. Two replies were given from the floor: (1) That while families living on top of one another in tall buildings may not be ideal, the Regent Park apartment dwellers are now better off than when they lived in part of a three storey house on a crowded lot; (2) In England, Europe and the United States, row housing has proved practical for families with young children as well as economical to build. Both public and private developers in Canada ought to consider building more row housing.

Where do we go from here? We know we have to have more housing, we have the legislation to do it, but HOW do we get more housing? In reply, Mr. Cornish stated that "full-recovery" schemes by the governments would be the best solution for people who could pay their own way. For those who could not, a subsidy would be required in the form of a Dominion - Provincial loan.

It was pointed out that the Housing and Welfare Committee of Metropolitan Council has proposed that ten million dollars be spent over ten years for the purpose of housing and has this year inserted one million dollars in its budget. A motion was brought forward from the floor and was passed, to authorize the Housing Committee of the Toronto Branch of the Community Planning Association of Canada to forward a resolution to the Metropolitan Council, supporting the Housing and Welfare Committee of Metropolitan Council in its proposal that one million dollars be spent for housing in 1954.

Resolution:

WHEREAS certain municipal regulations which have to do with minimum standards of accommodation (such as By-law 14466 of the City of Toronto) are not being enforced because of acute overcrowding throughout the metropolitan area, and

WHEREAS wartime techniques of rent control and emergency housing are being discontinued, this meeting is seriously disturbed by a situation which exists in defiance of the law and which continues to threaten the standards of public health and family life throughout the metropolitan area.

BE IT THEREFORE RESOLVED:

That the Metropolitan Council be urged to implement the recommendation of the Metropolitan Housing and Welfare Committee that \$1,000,000 be placed in the 1954 budget to be spent to build houses and apartments to be rented at less than commercial rates,

AND FURTHER:

That the constituent municipalities be prepared to establish a rigid inspection and enforcement program, once the new housing becomes available, to maintain those minimum standards of accommodation set down in health and building by-laws.

EXTRACTS FROM BY-LAWS OF CITY OF TORONTO

FROM NO. 14466

FEBRUARY 10, 1936

8. Every room shall contain a window, or windows, opening directly to the outside air, and the total area of such window or windows shall be not less than 10 per centum of the floor area of such room. All window sash shall be glazed and provided with suitable hardware, and shall be made to open to the extent of not less than 5 per centum of the floor area of such room.
9. There shall be no human habitation of any building on any floor which is more than four feet below the finished grade of the land adjoining the building.
11. No room used for sleeping purposes shall be occupied by more than one person for each 50 square feet of the floor area thereof nor in any case by more than three persons, provided that the total occupancy of any dwelling unit having more than one room shall not exceed one and one-half persons per room.
13. There shall be a water service with sink and drain within every dwelling and in any dwelling unit containing two or more rooms. (As amended by By-law No. 15583, passed May 19, 1941.)
14. There shall be one water closet for every ten persons or less occupying a dwelling which water closet shall be within, and be accessible within, the building, tent, trailer or other covering or structure which forms the main habitable portion of the dwelling. (As amended by By-law No. 15583, passed May 19, 1941.)
15. Where more than two persons occupy any dwelling unit, the preparation and cooking of food shall not take place in any room used for sleeping purposes.
- (iii) When any dwelling, dwelling unit, building or premises are not in conformity with the standard set forth in Section 11. of this By-law, the Inspector may notify the owner or his agent by registered letter specifying wherein the said dwelling, dwelling unit, building or premises are defective and the owner or his agent shall then, at his own expense, within two months, make the same comply with the provisions of this By-law or demolish any defective building or structure on the said premises. (As amended by By-law No. 15583, passed May 19, 1941.)
- (iv) If any owner is financially unable to remedy the said defects so as to make his dwelling, dwelling unit, building or premises comply with the notice referred to in Section 11. of this By-law, the Corporation, upon application made to it for that purpose and upon a favourable report of the Inspector, may advance to the said owner the money required for the said purpose, the total amount of which, exclusive of interest, shall not exceed the sum of \$50.00 for each room in the dwelling and any additional amount of money which the Corporation may advance for necessary plumbing and heating. (As amended by By-law No. 15583, passed May 19, 1941.)
- (vii) Any person convicted of a breach of any provision of this By-law shall forfeit and pay at the discretion of the convicting magistrate a penalty not exceeding (exclusive of costs) the sum of \$50.00 for each offence.

FROM NO. 19066

FEBRUARY 8, 1954

1. Every building or part of a building which is rented or leased as dwelling or living accommodation and which, as between the tenant or lessee and the landlord, is normally heated by or at the expense of the landlord shall, between the 15th day of October in each year and the 15th of May of the following year, be provided with adequate and suitable heat by or at the expense of the landlord; and for the purpose of this by-law minimum temperature, 68° Fahrenheit. (4)..Penalty, \$200.00.